

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|   |   |                     |
|---|---|---------------------|
| <b>EMC OUTDOOR, LLC</b><br><i>Plaintiff/Counterclaim Defendant</i>          | : | <b>CIVIL ACTION</b> |
|   | : |                     |
|   | : | <b>NO. 17-5172</b>  |
| <b>v.</b>   | : |                     |
|   | : |                     |
| <b>JENNIFER STUART, et al.</b><br><i>Defendants/Counterclaim Plaintiffs</i> | : |                     |

**ORDER**

AND NOW, this 31<sup>th</sup> day of March 2021, upon consideration of Defendants’ *motion for summary judgment*, [ECF 107], Plaintiff’s (“EMC”) response in opposition thereto, [ECF 110], and Defendants’ reply, [ECF 113], it is hereby **ORDERED** that, for the reasons set forth in the accompanying memorandum opinion, Defendants’ motion is **GRANTED**, *in part*, and **DENIED**, *in part*, as follows:

- Defendants’ motion is **GRANTED**, as to Count II of EMC’s amended complaint (DTSA Misappropriation of Trade Secrets), against Defendant Jennifer Stuart (“Stuart”) entirely, and against Defendant Grandesign, Inc. (“Grandesign”), *in part*, only to the extent that any such claims are based on alleged trade secrets that Grandesign would have acquired *from Stuart*;
- Defendants’ motion is **GRANTED**, as to Count III of EMC’s amended complaint, (PUTSA Misappropriation of Trade Secrets) against Stuart entirely, and against Grandesign, *in part*, only to the extent that any such claims are based on alleged trade secrets that Grandesign would have acquired *from Stuart*;
- Defendants’ motion is **GRANTED**, as to Count IV of EMC’s amended complaint, (Breach of Contract), Count VI of EMC’s amended complaint (Breach of Fiduciary Duty), and Count VIII of EMC’s amended complaint (Defamation);

- Defendants' motion is **GRANTED**, as to Count XI of EMC's amended complaint, (Unjust Enrichment) against Grandesign *only*; and
- Defendants' motion is **DENIED**, with respect to all other claims.<sup>1</sup>

**BY THE COURT:**

/s/ Nitza I. Quiñones Alejandro

**NITZA I. QUIÑONES ALEJANDRO**

*Judge, United States District Court*

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<sup>1</sup> The counts of EMC's amended complaint that remain viable at this time are: Count I; Count II against Defendant Mary Jo Pittera, and against Grandesign to the extent that any such claims are based on alleged trade secrets that Grandesign acquired *from Mary Jo Pittera*; Count III against Defendant Mary Jo Pittera, and against Grandesign to the extent that any such claims are based on alleged trade secrets that Grandesign acquired *from Mary Jo Pittera*; Count V; Count VIII; Count IX; Count X; Count XI against Defendants Stuart and Mary Jo Pittera *only*; and Count XII.